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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

SCR99

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE A STUDY ON THE FEASIBILITY OF UNDERGROUNDING THE STATE'S UTILITY FACILITIES

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the Senate Committees on Energy, Economic Development, and Tourism and
Government Operations

Wednesday, March 30, 2022, 3:05 p.m.
Conference Room 224 and Via Video Conference

Chairs Wakai and Moriwaki and Members of the Committee:

I am Charlotte Carter-Yamauchi, Director of the Legislative Reference Bureau (LRB). Thank you for this opportunity to provide written comments on S.C.R. No. 99, Requesting the Legislative Reference Bureau to Update a Study on the Feasibility of Undergrounding the State's Utility Facilities.

The purpose of this measure is to request the Legislative Reference Bureau to update its 1999 report on the feasibility of undergrounding the State's utility facilities. As part of the update, the measure requests that the Bureau:

- (1) Update and compile a list of the statewide issues and considerations involved in undergrounding the State's utility facilities, including: available alternatives, legal issues, cost apportionment, resource allocation, land use, public safety, civil defense planning, public health, environmental conditions, technological issues, impact on property owners, impact on the tourist industry, aesthetic impressions, and overall impact on quality of life;

- (2) Discuss any relevant changes to federal, state, and county policies, statutes, or ordinances governing the placement of utility facilities that have occurred since the 1999 report was published;
- (3) Update the Bureau's recommendations on factors that the Legislature should consider in evaluating whether to underground the State's existing and proposed utility facilities, including: the conditions under which undergrounding should be carried out, recommendations for obtaining community feedback, and alternative processes that could be used for information gathering and decision making; and
- (4) Consult with appropriate government and private entities, including the Public Utilities Commission; State Departments of Transportation, Defense, and Economic Development and Tourism; State Division of Consumer Advocacy; Mayors of the Counties of Hawaii, Maui, Kauai, and the City and County of Honolulu; Department of Transportation Services for the City and County of Honolulu; Honolulu Neighborhood Commission; Hawaiian Electric; Kauai Island Utility Cooperative; Hawaiian Telcom; AT&T; T-Mobile; Verizon Communications; Charter Communications; Outdoor Circle; Sierra Club of Hawaii; Life of the Land; and representatives of small businesses.

The measure also establishes that the Bureau may make recommendations regarding:

- (1) The advisability of establishing an interagency or interdisciplinary planning group;
- (2) The feasibility of coordinating existing planning resources for both short-term evaluation and long-term implementation; and
- (3) Methods and opportunities for soliciting input from community members and community leaders, including ratepayers, businesses, and members of the state and county governments.

Finally, the measure provides that the Bureau is requested to submit its report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

The Bureau takes no position on this measure but submits the following comments for your consideration.

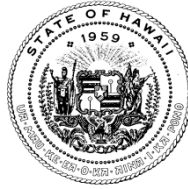
The Bureau notes that the measure purports that, since the issuance of the Bureau's 1999 report on the same topic, ". . . there are new technologies related to both undergrounding and overhead utility lines, making much of the Bureau's report outdated." Upon a review of the 1999 report's recommendations, we note that, with the exception of one recommendation to empower the Public Utilities Commission to require parties before the Commission to participate in some form of alternative dispute resolution, none of the other eight proposed legislative measures recommended by the Bureau were adopted by

subsequent legislatures. Most notably included among these recommendations are those that would have: (1) required the Public Utilities Commission to value the aesthetic benefit of the natural landscape of residential and conservation zoned areas above all else; (2) appropriated funds to the Consumer Advocate to develop measures to quantify the benefits of undergrounding utility lines; and (3) provided a tax incentive or a cost share financing mechanism for the undergrounding of utility lines. Furthermore, the Bureau believes that these unadopted recommendations were not based on time-sensitive facts, but rather proposed a workable framework that remains relevant today to provide the Public Utilities Commission with additional informational and financial incentive/assistance tools it may need to render information-based decisions on such matters in the future.

Consequently, the Bureau does not believe that its 1999 report needs to be updated. The Bureau notes that the Public Utilities Commission still possesses the power, as it did back in 1999, to require the undergrounding of utility lines, and that if the Legislature wishes to adopt any of the Bureau's 1999 legislative recommendations that have not yet been adopted, the Bureau would be happy to update and redraft the proposed legislative measures for submittal in the 2023 Regular Session.

Thank you again for the opportunity to submit written comments.

DAVID Y. IGE
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TESTIMONY BY:

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March 30, 2022

3:05 P.M.

State Capitol, Conference Room 224/Teleconference

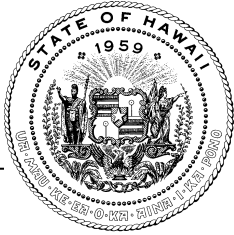
S.C.R. 99
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE A STUDY
ON THE UNDERGROUNDING OF THE STATE'S UTILITY FACILITIES

Senate Committee(s) on Energy, Economic Development, and Tourism &
Government Operations

The Department of Transportation (DOT) **supports** this resolution that requests Legislative Reference Bureau (LRB) to update the Bureau's 1999 report on the feasibility of undergrounding the State's utility facilities.

The benefits of undergrounding utilities include safety, aesthetics, expediting recovery from storms and reduced impacts to roadway users during maintenance. However, due to the higher costs of undergrounding, we believe additional funds need to be provided to any agency who will be responsible for the undergrounding effort. We also request that LRB consider undergrounding outside of lanes and sidewalks to minimize the potential for disrupting users of public roadways including bicyclists, pedestrians, drivers and transit users. This consideration will also reduce potential impacts during utility maintenance activities.

Thank you for the opportunity to provide testimony.



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Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
**SENATE COMMITTEES ON ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM
AND GOVERNMENT OPERATIONS**

Wednesday, March 30, 2022
3:05 PM
State Capitol, Conference Room 224 & Videoconference

COMMENTS SCR 99

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE A STUDY ON THE FEASIBILITY OF UNDERGROUNDING THE STATE'S UTILITY FACILITIES.

Chairs Wakai and Moriwaki, Vice Chairs Misalucha and Dela Cruz, and Members of the Committees, the Hawai'i State Energy Office (HSEO) offers comments on SCR 99, which requests the Legislative Reference Bureau (LRB) to update a study on the feasibility of undergrounding the state's utility facilities.

HSEO requests consideration to be a consulted member of the LRB study. Per §196-71, Hawai'i Revised Statutes, the statutory purpose of the HSEO shall be to promote energy efficiency, renewable energy, and clean transportation to help achieve a resilient clean energy economy. As part of that responsibility, the HSEO provides analysis and planning to actively develop and inform policies to achieve energy efficiency, renewable energy, energy resiliency, and clean transportation goals with the legislature, public utilities commission, state agencies, and other relevant stakeholders.

HSEO also serves as the primary and coordinating agency for State Emergency Support Function 12, Energy, maintaining situational awareness through coordination between local, state, federal, and energy industry partners. HSEO has responsibilities for resiliency and energy security in both the planning and response functions and is ready to support an update to the study on the feasibility of undergrounding the state's utility facilities.

HSEO defers to relevant agencies on the administrative and fiscal impacts of the resolution.

Thank you for the opportunity to testify.